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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,258	04/26/2001	Jaime F. Guerrero	83000.1000CPAC/P2868C	9917
25920	7590	06/01/2005	EXAMINER	
MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/844,258	GUERRERO, JAIME F.	
	Examiner	Art Unit	
	Mylinh Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 March 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03/07/05 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Applicant's Request for Reconsideration filed 03/07/05 has been entered and carefully considered. However, arguments regarding rejections under 35 U.S.C 102 to claims 1-27 have not been found to be persuasive. Therefore, these claims 1-27 are rejected under the same ground of rejection as set forth in the Office Action mailed 11/03/04. Figures 1-3 filed 03/07/05 have been approved by the Examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7-9, 13, 17-20, 23-24 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Wolfston, Jr. [US. 5,815,155].

As to claims 1, 13, 17 and 23, Wolfston, Jr. discloses creating a first display area said first display area displaying a first node of said hierarchy (figure 2a, Equinet is the first node of the first display area 100); creating a second display area (figure 2a, 106); performing the following when one of said plurality of child nodes (figure 2a, "NEWS", "HORSES", "PRODUCTS SERVICES"...) in said second, display area

is selected: updating said first display area to include said one of said plurality of child nodes (figure 2b, 110, column 4, lines 18-55); and updating said second display area to display a plurality of nodes in place of said plurality of child nodes, said plurality of nodes being the child nodes of said selected child node (figure 2b, 134, column 4, lines 18-55).

As to claims 2, 18 and 24, Wolfston, Jr. also discloses said hierarchy comprising a file system (figures 2a-2b).

As to claims 3, 19 and 27, Wolfston, Jr. shows performing the following when said first node is selected in the first display area: removing said one of said child nodes from said first display area and updating said second display area to display said plurality of child nodes (figure 2a).

As to claims 4 and 20, Wolfston shows the step of placing the cursor over said one of said child nodes in said second display area (column 7, lines 60-65).

As to claims 7 and 8, Wolfston also teaches the step of placing a marquee over said one of said child nodes of said selected child node and said step of displaying a marquee over said one of said child nodes in said second display (highlighting, column 7, lines 60-65).

As to claims 9, Wolfston provides the step of moving said marquee one entry in said second display area in response to arrow key input

and provides the step of selecting said one of said child nodes in response to right arrow key input (column 8, lines 30-38).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5-6, 10-12, 14-16, 21-22 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfston, Jr. [US. 5,815,155].

As to claim 5, 21 and 26, Wolfston discloses first and second display containing nodes in a hierarchical tree. Wolfston fails to clearly teach the feature of removing the second display area if the child node is a leaf node. However, Official notice is taken that implementation of removing the second display area if the child node is a leaf node was well known in the computer art. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation of removing the second display area with Wolfston's first and second displays. Motivation of the combination would have been to save space in the memory.

As to claims 6, 14 and 22, Wolfston teaches the multiple levels of nodes in the hierarchical tree; Wolfston fails to clearly teach a size of

said first display area being independent of a size of said second display area. However, Official notice is taken that implementation of a size of said first display area being independent of a size of said second display area was well known in the computer art. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation that the size of said first display area is independent of a size of said second display area with Wolfston's first and second displays.

Motivation of the combination would have been to give users the flexibility when navigating the node levels in the hierarchical tree.

As to claims 10 and 11, Wolfston teaches "the clickable actuators could be selected by means other than clicking a mouse button such as depressing the enter key"; Wolfston fails to clearly teach the step of selecting said one of said child nodes in response to right arrow key input and character input. However, Official notice is taken that implementation of selecting said one of said child nodes in response to right arrow key input and character input was well known in the computer art. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation of selecting said one of said child nodes in response to right arrow key input and character input with Wolfston's first and second displays. Motivation of the combination would have been to give users multiple choices to input into the system from the keyboard.

As to claims 12, 15-16 and 25, Wolfston fails to teach the performing the following when there is unused display space in said first display area: resizing said first display area to eliminate said unused display space; expanding said second display area to include said unused display space and scrolling mechanism being activated when said first display area reaches said maximum size. However, Official Notice is taken that implementations removing the second display area if the child node is a leaf node were well known in the art. In light of the rejection set forth above, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementations of resizing said first display area to eliminate said unused display space; expanding said second display area to include said unused display space and scrolling mechanism being activated when said first display area reaches said maximum size. Motivation of the combination would have been to save space in the memory.

Response to Arguments

Applicant has argued Wolfston does not update the first display area because Wolfston shows a different screen display from a new web page when a link is accessed. However, the Examiner respectfully disagrees because the first display area (figure 2b, 110) is updated when option "Horses" is added next to "EQUINET". Applicant also argues Wolfston does not disclose or suggest updating a second

display area to display a plurality of nodes when a node is selected in the second display area. However, the first display area (figure 2a, 100) displays the screen "EQUINET". The second display area (figure 2a, 106) displays plural screens as "NEWS", "HORSE", "PRODUCTS SEVICES"....

Once a user selects option "HORSES" of the second display area, the first display area is now updated by displaying the option "HORSES" next to "EQUINET" (figure 2b, 110). The second display area (Figure 2b, 134) now is also updated by displaying all children of the "HORSE". Applicant's attention also is directed to column 4, lines 17-43.

Regarding the argument about the official notice of the step of selecting one of the child nodes in response to right arrow key input. Wolfston fails to clearly teach the features. However, in the same field of invention, the claimed limitations are disclosed by Microsoft Screen Dump. The child of Settings is Active Desktop is able to select by the right arrow key of the keyboard. Before using the right arrow key to select the child node, the user should initial press the left arrow key (page 2). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Microsoft Screen Dump with Wolfston's first and second displays. Motivation of the combination would have been to give users multiple choices to input into the system from the keyboard.

Regarding the argument about the official notice of "a size of the first display area is independent of a size of the second display area", Wolfston fails to clearly teach the features. However, in the same field of invention, the claimed limitation is disclosed by Microsoft Screen Dump (page 3). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation that the size of said first display area is independent of a size of said second display area with Wolfston's first and second displays. Motivation of the combination would have been to give users the flexibility when navigating the node levels in the hierarchical tree.

Regarding the argument about the official notice of the feature "removing the second display area, if said child node is a leaf node", Wolfston fails to clearly teach the feature of removing the second display area if the child node is a leaf node. However, in the same field of invention, the claimed limitation is disclosed by Stead (figure 2, 220). In Stead, because the child node 220 is a leaf node, there is no second display area for the child node. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation of removing the second display area with Wolfston's first and second displays. Motivation of the combination would have been to save space in the memory.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at 571-272-4136.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

571-273-4141 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

Heather
HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Replacement Sheet

1/9

II. Approved
JUL 5/17/05

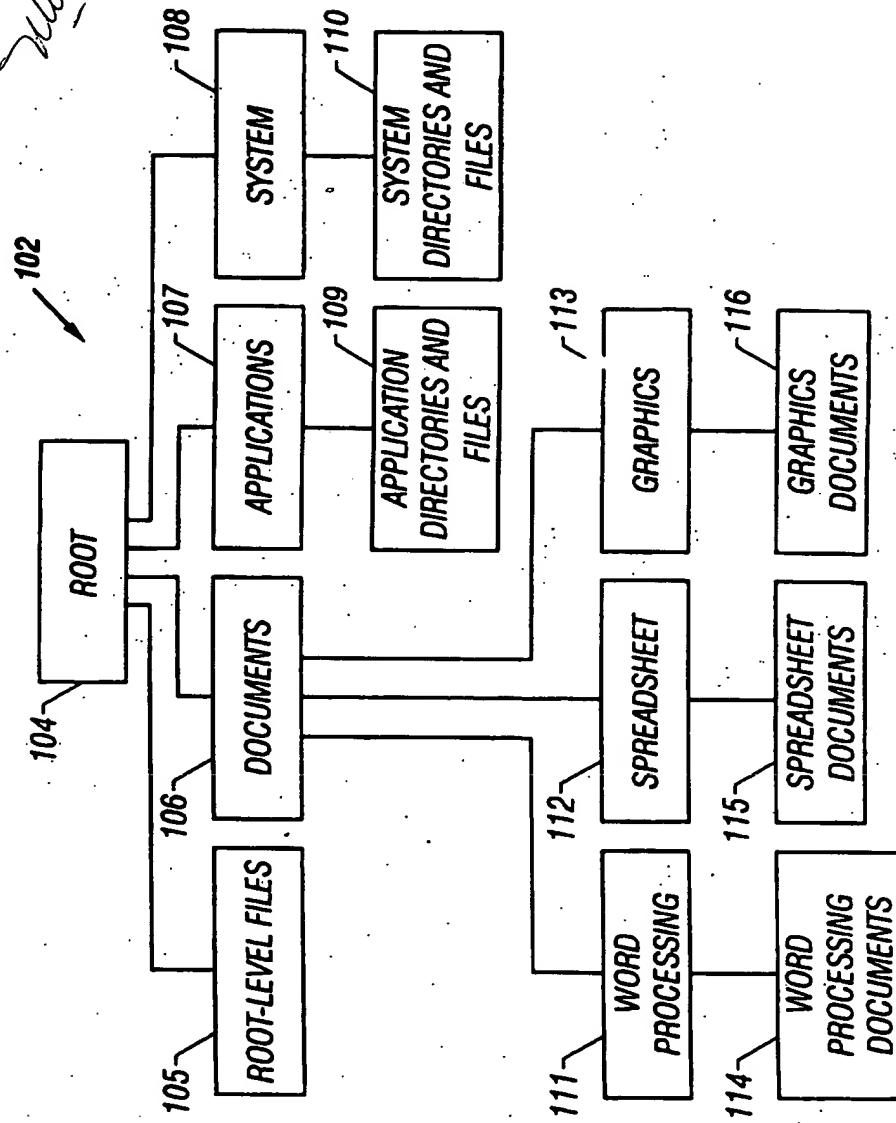


FIGURE 1 (Prior Art)

Replacement Sheet

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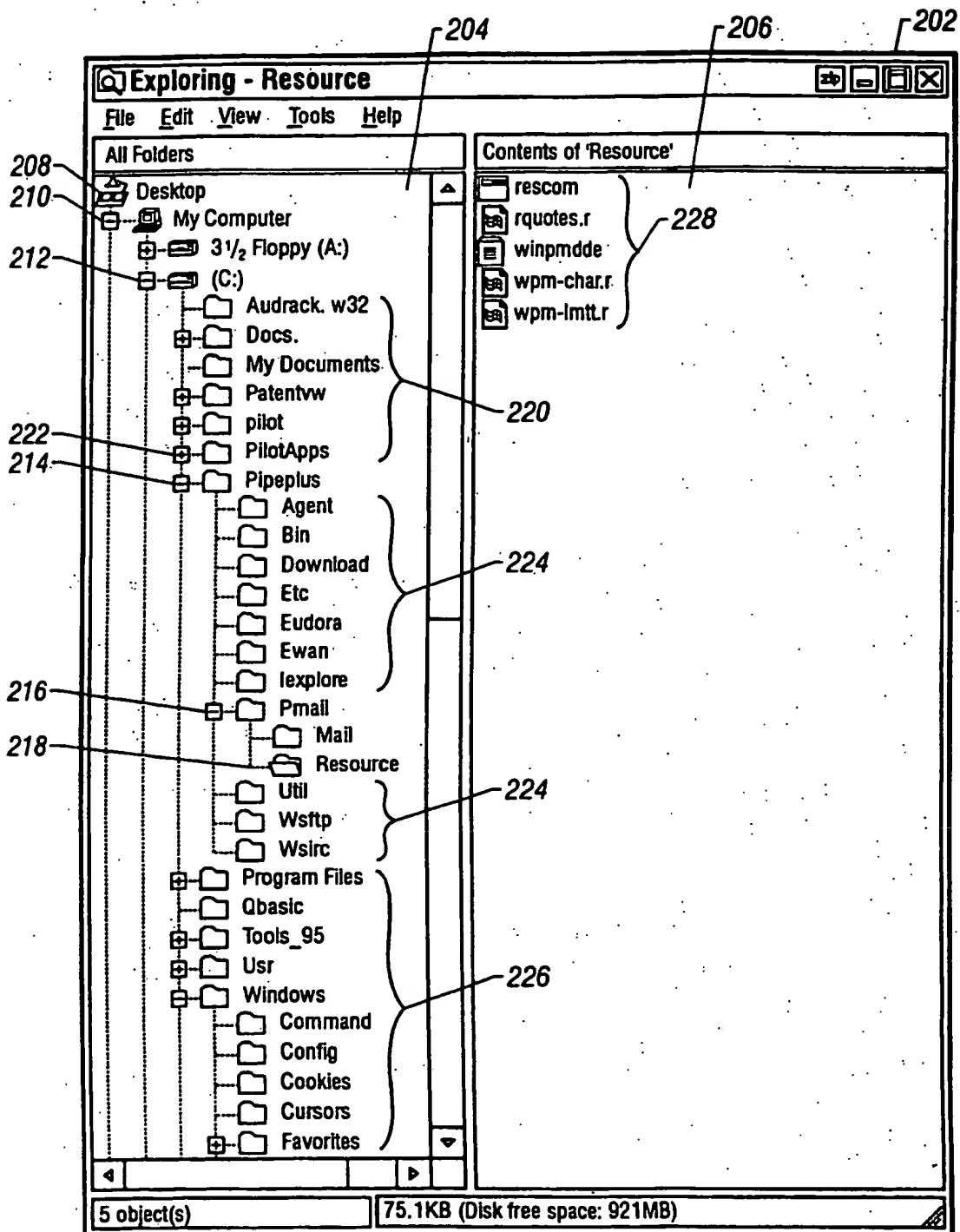


FIGURE 2 (Prior Art)



Replacement Sheet

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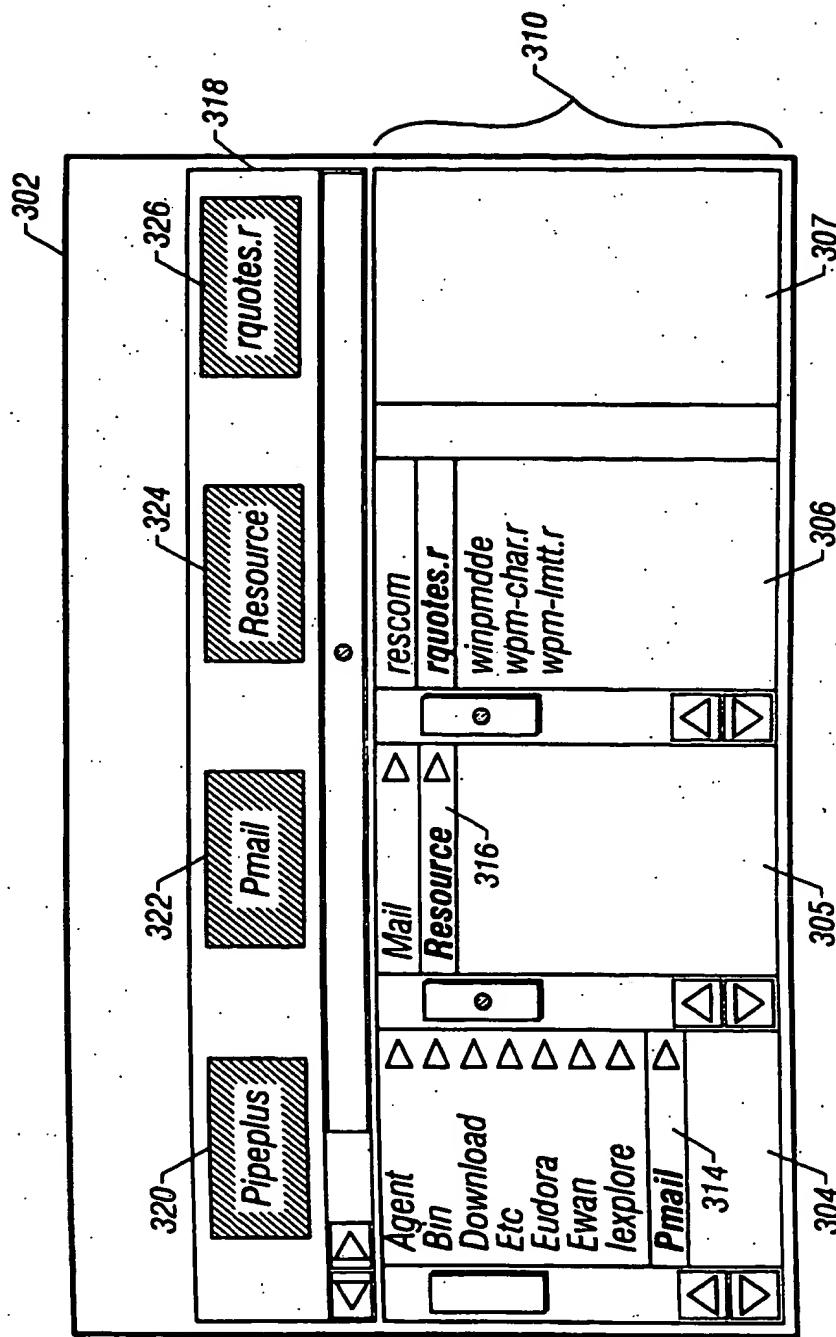


FIGURE 3 (Prior Art)